May 15, 2017

The Honorable Lorena Gonzalez-Fletcher

Chair, Assembly Appropriations Committee

State Capitol Building, Room 2114

Sacramento, CA 95814

**RE:      AB 1250 (Jones-Sawyer) Counties and Cities: Contracts for Personal Services - OPPOSED**

Dear Assembly Member Gonzalez-Fletcher:

On behalf of the Computing Technology Industry Association (CompTIA), I write to respectfully oppose AB 1250 (Jones-Sawyer), as amended April 25. 2017. As you know, this bill seeks to severely limit options for city and county agencies to determine the most appropriate solution to providing efficient and effective public services by establishing significant and costly obstacles for city and county contracting for personal services. This definition is very broad and including IT services.

CompTIA is a non-profit trade association serving as the leading voice of the information technology industry – the driving force behind productivity growth and job creation, representing premier technology companies of all sizes. With approximately 2,000 member companies, 3,000 academic and training partners and more than two million IT certifications issued, CompTIA is dedicated to advancing industry growth through educational programs, market research, networking events, professional certifications and public policy advocacy.

AB 1250 seeks to eliminate the consideration of contracting for cities and counties, which will not necessarily result in cost savings and could even result in higher costs to these local jurisdictions. AB 1250 sets up a process for cities and counties to follow when seeking to contract for these services that is so onerous for the contracting agency to satisfy that it will effectively discourage the agency from even attempting the process.

AB 1250 puts significant burdens on local businesses who attempt to bid on service contracts. For example, the measure requires a potential contractor to provide the following information and make it available via the California Public Records Act:

* The total compensation, including salaries and benefits, the contractor provides to workers and subcontractors performing work similar to that to be provided under the contract.
* The total compensation, including salaries, benefits, options, and any other form of compensation, provided to five highest compensated officers, directors, executives, or employees of the contractor.
* A description of all civil complaints filed against the contractor in any state or federal court during the prior 10 years.
* A description of all state or federal criminal complaints or indictments filed against the contractor, or any of its officers, directors, or managers, at any time.
* A description of any debarments of the contractor by any public agency or licensing body at any time.
* A description of all charges, claims, or complaints filed against the contractor with any federal, state, or local administrative agency during the prior 10 years.

Finally, this measure also brings about significant privacy and safety concerns for our member companies in that, under AB 1250, the local agency would be required to post the full names, titles and salary information of private employees on the agencies website in a fully searchable database.  It is unclear how the posting of private citizens’ personal information benefits the public.

Furthermore, AB 1250 establishes onerous reporting requirements and cost barriers to prospective contractors by arbitrarily forcing a prospective contractor to pay for a full cost-benefit analysis including an environmental impact report as well as an annual performance audit.  These on-going costs can range in the hundreds of thousands to the millions depending on the scope of work being contracted.

Moreover, these new requirements will discourage vendors for even bidding for such projects thus leaving agencies with either limited choices for contracting services or the complete elimination of specific services altogether.  Cities and counties have a long history of addressing service delivery challenges with creativity, self-reliance and innovation. Limited budgets create further challenges to local governments that can sometimes be addressed through using outside vendors to provide services.  AB 1250 limits the tools and resources the cities and counties rely upon to provide public services within their means.

For these reasons, we must OPPOSE AB 1250 (Jones-Sawyer). Please contact me at [khitt@comptia.org](mailto:khitt@comptia.org) or by phone at (916) 443-2720 if you have any questions or would like to discuss our position in more detail.

Sincerely,



Kelly Hitt

Director, State Government Affairs - California & Hawaii

CompTIA (Computing Technology Industry Association)

Cc: Members, Assembly Appropriations Committee

Assembly Member Jones-Sawyer